

PROB22
(12/2018)

FILED
2024 JUL 26 AM 11:29

JUDGE KATHLEEN CARDONE

CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS BY <i>Re</i> TRANSFER OF JURISDICTION	DOCKET NUMBER (Tran. Court): 7:18CR00491-001		
	DOCKET NUMBER (Rec. Court):		
NAME AND ADDRESS OF SUPERVISED PERSON: Diaz-DeLeon, Adam Michael El Paso, Texas	DISTRICT: Southern District of Texas		DIVISION: McAllen
	NAME OF SENTENCING JUDGE: Honorable Randy Crane		
	DATES OF PROBATION/ SUPERVISED RELEASE	From: 12/22/2023	To: 12/21/2027

OFFENSE:

Importing 500 grams or more, that is, approximately 63.9 kilograms of methamphetamine, in violation of 21 U.S.C. § 952(a), 960(a)(1), 960(b)(1) and 18 U.S.C. § 2.

JUSTIFICATION/REASON FOR TRANSFER (e.g., prosocial ties, employment/education opportunities, violation of supervision):

The Releasee commenced his term of supervision in the Western District of Texas, El Paso Division, where he has a stable residence and employment. He plans to remain in the Western District of Texas during his term of Supervised Release.

EP 24 CR 1565

PART 1 - ORDER TRANSFERRING JURISDICTION

United States District Court for the Southern District of Texas, McAllen Division:

IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. 3605, the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the Western District of Texas, El Paso Division upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*

Date

7/8/24

[Signature]
United States Magistrate Judge

*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

United States District Court for the Western District of Texas, El Paso Division:

IT IS HEREBY ORDERED that, jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

Effective Date

7/26/2024

[Signature]
United States District Judge

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**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (McAllen)
CRIMINAL DOCKET FOR CASE #: 7:18-cr-00491-1**

Case title: USA v. Diaz-Deleon

Date Filed: 03/27/2018

Magistrate judge case number: 7:18-mj-00450

Date Terminated: 02/13/2019

Assigned to: Judge Randy Crane

Defendant (1)

Adam Michael Diaz-Deleon
TERMINATED: 02/13/2019

represented by **Richard Bruce Gould**
Assistant Federal Public Defender
1701 W Bus Hwy 83
Ste 405
McAllen, TX 78501
956-630-2995
Fax: 956-631-8647
Email: richard_gould@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Kyle Blair Welch
Email: mca_ecf@fd.org
TERMINATED: 11/29/2018
Designation: Public Defender or
Community Defender Appointment

Pending Counts

ATTEMPT/CONSPIRACY -
CONTROLLED SUBSTANCE -
DISTRIBUTE
(1)

CONTROLLED SUBSTANCE - IMPORT
(2)

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE

Disposition

Dismissed on Government's oral motion.

Ninety-six (96) months custody of the
Bureau of Prisons and four (4) years of
supervised release term with special
condition drug aftercare program, until
discharged with the approval of his
probation officer and program director;
\$100 special assessment and waived fine.

Dismissed on Government's oral motion.

(3)

CONTROLLED SUBSTANCE - SELL,
DISTRIBUTE, OR DISPENSE

Dismissed on Government's oral motion.

(4)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

21:841A=CD.F, 21:846=CD.F, 21:952=CI.F

Disposition

Plaintiff

USA

represented by **David Agustin Lindenmuth**
Lindenmuth Law Firm
515 Pecan Blvd.
McAllen, TX 78501
956-897-0020
Fax: 956-997-8040
Email: david@lindenmuthlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Financial Litigation

U S Attorney's Office
Southern District of Texas
1000 Louisiana St
Ste 2300
Houston, TX 77002
713-567-9000
Fax: 713-718-3391 fax
Email: flu.usatxs-@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Retained

Joseph T Leonard

United States Attorney's Office, Southern
District of T
McAllen Division
1701 W Business Highway 83
Ste. 600
McAllen, TX 78501
956-618-8010

Fax: 956-618-8009

Email: joseph.leonard@usdoj.gov

TERMINATED: 08/31/2018

Designation: Retained

Date Filed	#	Docket Text
03/01/2018		Arrest of Adam M. Diaz Deleon, filed. (cvillegas, 7) [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018	<u>1</u>	CRIMINAL COMPLAINT as to Adam M. Diaz Deleon (1), filed. Initial Appearance set for 3/2/2018 at 10:30 AM before Magistrate Judge Peter E Ormsby (cvillegas, 7) (Main Document 1 replaced on 3/5/2018) (agarcia, 7). [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018	<u>2</u>	AO 257 Information Sheet as to Adam M. Diaz Deleon, filed.(cvillegas, 7) [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018		Minute Entry for proceedings held before Magistrate Judge Peter E Ormsby. INITIAL APPEARANCE on Criminal Complaint as to Adam M. Diaz Deleon, held on 3/2/2018. (Deft informed of rights.) Defendant requests appointed counsel. Deft examined as to Financial Affidavit. Court grants. Preliminary Examination & Detention Hearing set for 3/7/2018 at 03:00PM before Magistrate Judge Peter E. Ormsby. Complaint to reflect defendants TN: Adam Michael Diaz Deleon Appearances: Eric Drootman, AUSA;. (PTS: Robert Weaver) (ERO: Karen Lopez) (Interpreter: Woody Lewis/Pricilla Muzza/not used) (DUSM: Javier Farias) Deft remanded to custody. (agarcia, 7) [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018	<u>3</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for Adam M. Diaz Deleon (Signed by Magistrate Judge Peter E Ormsby) Parties notified. (agarcia, 7) [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018	<u>4</u>	Order of Temporary Detention Pending Hearing as to Adam M. Diaz Deleon. Preliminary Examination & Detention Hearing set for 3/7/2018 at 03:00 PM before Magistrate Judge Peter E Ormsby. (Signed by Magistrate Judge Peter E Ormsby) Parties notified. (agarcia, 7) [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018		NOTICE OF ATTORNEY APPEARANCE Kyle Blair Welch, Federal Public Defender, in case as to Adam M. Diaz Deleon, filed.(Welch, Kyle) [7:18-mj-00450] (Entered: 03/02/2018)
03/02/2018	<u>5</u>	Sealed Financial Affidavit CJA 23 by Adam Michael Diaz Deleon, filed. [7:18-mj-00450] (Entered: 03/05/2018)
03/06/2018	<u>6</u>	Pretrial Services Report (Sealed) as to Adam Michael Diaz Deleon, filed. (jpena, 7) [7:18-mj-00450] (Entered: 03/06/2018)
03/07/2018		Minute Entry for proceedings held before Magistrate Judge Peter E Ormsby: PRELIMINARY EXAMINATION AND DETENTION HEARING as to Adam Michael Diaz Deleon held on 3/7/2018. Deft, assisted by counsel, waived Preliminary Examination and Detention Hearing. Court found Probable Cause. Court took judicial notice of Pretrial Report and entered findings. Deft held without bond. Order of Detention Pending Trial to be entered. Appearances: K. Alejandra Andrade, AUSA; Azalea Aleman-Bendiks f/Kyle Blair Welch, AFD (ERO: Orlando Casas)(USPO: Daisy Montemayor) (Interpreter: Maria Enriqueta Foraker, Woody Lewis/not used) (DUSM: Omar Saenz). Deft remanded to custody of U.S. Marshal., filed.(caramirez, 7) [7:18-mj-00450] (Entered: 03/07/2018)
03/07/2018	<u>7</u>	ORDER OF DETENTION PENDING TRIAL as to Adam Michael Diaz Deleon (Signed by Magistrate Judge Peter E Ormsby) Parties notified. (cvillegas, 7) [7:18-mj-00450]

		(Entered: 03/07/2018)
03/27/2018	<u>8</u>	INDICTMENT (The original indictment with the signature of the grand jury foreperson is on file under seal with the clerk) as to Adam Michael Diaz-Deleon (1) count(s) 1, 2, 3, 4, filed. (cvillegas, 7) (Additional attachment(s) added on 3/28/2018: # <u>1</u> Unredacted attachment) (cvillegas, 7). (Entered: 03/28/2018)
03/27/2018	<u>9</u>	US Attys Criminal Docket Sheet as to Adam Michael Diaz-Deleon, filed.(cvillegas, 7) (Entered: 03/28/2018)
03/28/2018		NOTICE OF ATTORNEY APPEARANCE Kyle Blair Welch, Federal Public Defender, in case as to Adam Michael Diaz Deleon, filed.(Welch, Kyle) [7:18-mj-00450] (Entered: 03/28/2018)
03/28/2018	<u>10</u>	NOTICE OF SETTING as to Adam Michael Diaz-Deleon. Arraignment set for 4/4/2018 at 08:45 AM before Magistrate Judge J Scott Hacker, filed. (cvillegas, 7) (Entered: 03/28/2018)
04/04/2018		ARRAIGNMENT Minute Entry for proceedings held before Magistrate Judge J Scott Hacker as to Adam Michael Diaz-Deleon held on 4/4/2018. Not Guilty Count 1-4. Scheduling Order issued. Deft remanded to custody of U.S. Marshal.. Appearances: Kristen Rees, AUSA; Kyle Welch, AFD.(ERO: Adrian De La Rosa) (Interpreter: Woody Lewis/not used) (DUSM: Andre Rodriguez), filed. (jaleyvaadi, 7) (Entered: 04/04/2018)
04/04/2018	<u>11</u>	SCHEDULING ORDER as to Adam Michael Diaz-Deleon. Motion Filing due by 4/18/2018. Responses due by 5/8/2018. Final Pretrial Conference set for 6/1/2018 at 09:00 AM before Judge Randy Crane. Jury Selection set for 6/5/2018 at 09:30 AM before Judge Randy Crane. Deadline for Motions for Continuance: 5/18/2018. (Signed by Magistrate Judge J Scott Hacker) Parties notified. (jaleyvaadi, 7) (Entered: 04/04/2018)
05/30/2018	<u>12</u>	MOTION for Leave to File Unopposed Motion for Continuance of Final Pretrial and Jury Selection by Adam Michael Diaz-Deleon, filed. (Attachments: # <u>1</u> Proposed Order)(Welch, Kyle) (Entered: 05/30/2018)
05/30/2018	<u>13</u>	Unopposed MOTION to Continue Final Pretrial and Jury Selection by Adam Michael Diaz-Deleon, filed. (Attachments: # <u>1</u> Proposed Order)(Welch, Kyle) (Entered: 05/30/2018)
05/31/2018	<u>14</u>	ORDER GRANTING UNOPPOSED CONTINUANCE as to Adam Michael Diaz-Deleon. (Final Pretrial Conference reset for 8/3/2018 at 09:00 AM before Judge Randy Crane, Jury Selection reset for 8/7/2018 at 09:30 AM before Judge Randy Crane) (Signed by Judge Randy Crane) Parties notified. (agarcia, 7) (Entered: 05/31/2018)
08/03/2018		Minute Entry for proceedings held before Judge Randy Crane: RE-ARRAIGNMENT held on 8/3/2018 as to Adam Michael Diaz-Deleon, Defendant pled Guilty to Count(s) 2 of the Indictment. Written plea agreement filed. Appearances: Joseph Leonard, AUSA; M. A. Andres Noguera in lieu of Kyle Welch, AFD, AFD; (USPO: Osvaldo Leal) (ERO: Ricardo Rodriguez) (Interpreter: Elena Medrano-not used) Deft remanded to custody of the US Marshal.. (DeliaRodriguez, 7) (Entered: 08/03/2018)
08/03/2018		**Terminate Deadlines and Hearings as to Adam Michael Diaz-Deleon: (DeliaRodriguez, 7) (Entered: 08/03/2018)
08/03/2018	<u>15</u>	ORDER for Presentence Investigation and Disclosure & Sentencing Dates as to Adam Michael Diaz-Deleon. PSI Completion due by 9/7/2018 Objection to PSI due by 9/21/2018 Final PSI due by 10/5/2018 Sentencing set for 10/15/2018 at 09:00 AM before Judge Randy Crane (Signed by Judge Randy Crane) Parties notified. (YeseniaIbarraadi, 7) (Entered: 08/03/2018)

08/03/2018	<u>16</u>	PLEA AGREEMENT as to Adam Michael Diaz-Deleon, filed. (drodriguez, 7) (Entered: 08/03/2018)
08/31/2018	<u>17</u>	Notice of Substitution by USA as to Adam Michael Diaz-Deleon. Attorney DAVID A. LINDENMUTH added. Attorney Joseph T Leonard terminated, filed.(Lindenmuth, David) (Entered: 08/31/2018)
09/20/2018	<u>18</u>	Objection to Presentence Investigation Report (Sealed) by Adam Michael Diaz-Deleon, filed. (Entered: 09/20/2018)
10/05/2018	<u>19</u>	Final Presentence Investigation Report (Sealed) as to Adam Michael Diaz-Deleon, filed. (dsolis, 7) (Entered: 10/05/2018)
10/05/2018	<u>20</u>	Sealed Addendum to <u>19</u> Final Presentence Investigation Report (Sealed) as to Adam Michael Diaz-Deleon, filed. (dsolis, 7) (Entered: 10/05/2018)
10/05/2018	<u>21</u>	Sealed Event, filed. (With attachments) (Entered: 10/05/2018)
10/12/2018	<u>22</u>	Order Resetting Sentencing as to Adam Michael Diaz-Deleon. Sentencing reset for 12/19/2018 at 09:00 AM before Judge Randy Crane (Signed by Judge Randy Crane) Parties notified. (agarcia, 7) (Entered: 10/12/2018)
11/28/2018	<u>23</u>	Sentencing Memorandum (Sealed) by Adam Michael Diaz-Deleon, filed. (Entered: 11/28/2018)
11/29/2018		NOTICE OF ATTORNEY APPEARANCE Richard Bruce Gould, Federal Public Defender, in case as to Adam Michael Diaz-Deleon, filed.(Gould, Richard) (Entered: 11/29/2018)
11/29/2018	<u>24</u>	NOTICE of Re-Designation of Attorney In Charge by Adam Michael Diaz-Deleon, filed. (Gould, Richard) (Entered: 11/29/2018)
12/14/2018	<u>25</u>	Sealed Event, filed. (With attachments) (Entered: 12/14/2018)
12/18/2018	<u>26</u>	Order Resetting Sentencing as to Adam Michael Diaz-Deleon. Sentencing set for 1/28/2019 at 09:00 AM before Judge Randy Crane (Signed by Judge Randy Crane) Parties notified. (agarcia, 7) (Entered: 12/18/2018)
01/04/2019	<u>27</u>	Revised Presentence Investigation Report (Sealed) as to Adam Michael Diaz-Deleon, filed. (LindaArizpe, 4) (Entered: 01/04/2019)
01/04/2019	<u>28</u>	Second Sealed Addendum to <u>27</u> Final Presentence Investigation Report (Sealed) as to Adam Michael Diaz-Deleon, filed. (LindaArizpe, 4) (Entered: 01/04/2019)
01/23/2019	<u>29</u>	Sealed Event, filed. (With attachments) (Entered: 01/23/2019)
01/28/2019		Minute Entry for proceedings held before Judge Randy Crane: HEARING re: Sentencing as to Adam Michael Diaz-Deleon held on 1/28/2019. Counsel approached the bench for conference-SEALED. The Court GRANTED <u>29</u> Sealed Event and will reset for two weeks by further order. Appearances: David A. Lindenmuth, AUSA; Richard B. Gould, AFD; J. Blas, US Probation-Mc.(ERO: Ricardo Rodriguez) (Interpreter: Elena Medrano-not used.) Deft remanded to custody of the Marshal., filed.(DeliaRodriguez, 7) (Entered: 01/28/2019)
01/28/2019	<u>30</u>	Order Resetting Sentencing as to Adam Michael Diaz-Deleon. Sentencing reset for 2/13/2019 at 09:00 AM before Judge Randy Crane (Signed by Judge Randy Crane) Parties notified. (agarcia, 7) (Entered: 01/28/2019)
02/12/2019	<u>31</u>	Revised Presentence Investigation Report (Sealed) as to Adam Michael Diaz-Deleon, filed. (osvillarreal, 7) (Entered: 02/12/2019)

02/12/2019	<u>32</u>	Third Sealed Addendum to <u>31</u> Final Presentence Investigation Report (Sealed) as to Adam Michael Diaz-Deleon, filed. (osvillarreal, 7) (Entered: 02/12/2019)
02/13/2019		Minute Entry for proceedings held before Judge Randy Crane: Sentencing held on 2/13/2019 for Adam Michael Diaz-Deleon (1). Counsel approached bench for conference-SEALED. [TOL=27, CHC=II, GRS=78-97 months] Sentence Count(s) 2: Ninety-six (96) months custody of the Bureau of Prisons and four (4) years of supervised release term with special condition drug aftercare program, until discharged with the approval of his probation officer and program director; \$100 special assessment and waived fine. The Court advised the defendant of his right to an appeal. Count(s) 1, 3, 4: Dismissed on Government's oral motion. Adam Michael Diaz-Deleon terminated. Appearances: David A. Lindenmuth, AUSA; Richard B. Gould, AFD; J. Blas, US Probation-Mc.(ERO: Ricardo Rodriguez) (Interpreter: Elean Medrano-not used.) Deft remanded to custody of the Marshal., filed.(DeliaRodriguez, 7) (Entered: 02/13/2019)
02/21/2019	<u>33</u>	JUDGMENT as to Adam Michael Diaz-Deleon (Signed by Judge Randy Crane) Parties notified. (vbarrera, 7) (Entered: 02/21/2019)
02/21/2019	<u>34</u>	Statement of Reasons (Sealed) as to Adam Michael Diaz-Deleon. NOTICE: Document available to applicable parties only. Authorized users enter CM/ECF Filer login and password first for authentication. Instructions available at http://www.txs.uscourts.gov/attorney-information - Electronic Access to Sealed Documents. Be sure to SAVE the document locally at the time of viewing, filed. (Entered: 02/21/2019)
07/08/2024	<u>35</u>	PROBATION FORM 12A Report on Offender Under Supervision No Court Action Requested as to Adam Michael Diaz-Deleon. Court Concurs with Recommended Action. (Signed by Magistrate Judge Juan F Alanis) Parties notified. (ced7) (Entered: 07/08/2024)
07/08/2024	<u>36</u>	Supervised Release Jurisdiction Transferred to the Western District of Texas, El Paso Division as to Adam Michael Diaz-Deleon., filed. (ced7) (Entered: 07/08/2024)
07/08/2024	<u>37</u>	Letter re Transfer of Jurisdiction to the Western District of Texas, El Paso Division as to Adam Michael Diaz-Deleon, filed. (ced7) (Additional attachment(s) added on 7/8/2024: # 1 TOJ) (ced7). (Entered: 07/08/2024)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

United States District Court
Southern District of Texas
FILED

MAR 27 2018

UNITED STATES OF AMERICA

v.

ADAM MICHAEL DIAZ-DELEON

§
§
§
§
§

Criminal No.

M-18-491

David J. Bradley, Clerk

INDICTMENT

THE GRAND JURY CHARGES:

Count One

On or about March 1, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

ADAM MICHAEL DIAZ-DELEON

did knowingly and intentionally conspire and agree with other persons known and unknown to the Grand Jurors, to import into the United States of America from the United Mexican States a controlled substance. The controlled substance involved was 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 963, 952(a), 960(a)(1), and 960(b)(1).

Count Two

On or about March 1, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

ADAM MICHAEL DIAZ-DELEON

did knowingly and intentionally import into the United States of America from the United Mexican States a controlled substance. The controlled substance involved was 500 grams or more, that is,

approximately 63.9 kilograms of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 952(a), 960(a)(1), and 960(b)(1) and Title 18, United States Code, Section 2.

Count Three

On or about March 1, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

ADAM MICHAEL DIAZ-DELEON

did knowingly and intentionally conspire and agree with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

Count Four

On or about March 1, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

ADAM MICHAEL DIAZ-DELEON

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 500 grams or more, that is, approximately 63.9 kilograms of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title
18, United States Code, Section 2.

A TRUE BILL

FOREPERSON

RYAN K. PATRICK
UNITED STATES ATTORNEY

ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
Southern District of Texas
Holding Session in McAllen

ENTERED

February 21, 2019

David J. Bradley, Clerk

UNITED STATES OF AMERICA
V.
ADAM MICHAEL DIAZ-DELEON

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: 7:18CR00491-001

USM NUMBER: 37049-479

Richard Bruce Gould, AFPD

Defendant's Attorney

☐ See Additional Aliases.**THE DEFENDANT:**☒ pleaded guilty to count(s) 2 on August 3, 2018.☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 U.S.C. § 952(a), 960(a)(1), 960(b)(1) and 18 U.S.C. § 2	Importing 500 grams or more, that is, approximately 63.9 kilograms of methamphetamine.	03/01/2018	2

☐ See Additional Counts of Conviction.The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☒ Count(s) 1, 3 and 4 ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

February 13, 2019

Date of Imposition of Judgment

Randy Crane

Signature of Judge

RANDY CRANE
UNITED STATES DISTRICT JUDGE

Name and Title of Judge

February 21, 2019

Date

DEFENDANT: ADAM MICHAEL DIAZ-DELEON
CASE NUMBER: 7:18CR00491-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 96 months.

- ☐ See Additional Imprisonment Terms.
- ☐ The court makes the following recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____

DEPUTY UNITED STATES MARSHAL

DEFENDANT: ADAM MICHAEL DIAZ-DELEON
CASE NUMBER: 7:18CR00491-001

SUPERVISED RELEASE

Upon release from imprisonment you will be on supervised release for a term of: 4 years.

☐ See Additional Supervised Release Terms.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

☒ See Special Conditions of Supervision.

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment, you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

DEFENDANT: ADAM MICHAEL DIAZ-DELEON
CASE NUMBER: 7:18CR00491-001

SPECIAL CONDITIONS OF SUPERVISION

You must participate in an inpatient or outpatient substance-abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program, including the provider, location, modality, duration, and intensity. You must pay the costs of the program, if financially able.

You must participate in an inpatient or outpatient alcohol-abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program, including the provider, location, modality, duration, and intensity. You must pay the costs of the program if financially able.

You may not possess any controlled substances without a valid prescription. If you do have a valid prescription, you must follow the instructions on the prescription.

You must submit to substance-abuse testing to determine if you have used a prohibited substance, and you must pay the costs of the testing if financially able. You may not attempt to obstruct or tamper with the testing methods.

You may not use or possess alcohol.

You may not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances, including synthetic marijuana or bath salts, that impair a person's physical or mental functioning, whether or not intended for human consumption, except as with the prior approval of the probation officer.

DEFENDANT: ADAM MICHAEL DIAZ-DELEON
CASE NUMBER: 7:18CR00491-001**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$100.00		

☐ See Additional Terms for Criminal Monetary Penalties.☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal payees must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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☐ See Additional Restitution Payees.

TOTALS	\$0.00	\$0.00	
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☐ Restitution amount ordered pursuant to plea agreement \$ _____☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:☐ the interest requirement is waived for the ☐ fine ☐ restitution.☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:☐ Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: ADAM MICHAEL DIAZ-DELEON
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$100.00 due immediately, balance due
☐ not later than _____, or
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ installments of _____ over a period of _____, to commence _____ days after the date of this judgment; or
- D ☐ Payment in equal _____ installments of _____ over a period of _____, to commence _____ days after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ days after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
 Payable to: Clerk, U.S. District Court
 Attn: Finance
 P.O. Box 5059
 McAllen, TX 78502

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number

Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several
Amount

Corresponding Payee,
if appropriate

- ☐ See Additional Defendants and Co-Defendants Held Joint and Several.
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:
- ☐ See Additional Forfeited Property.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.